

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

LAURA PEREZ,)	
)	
Plaintiff,)	
)	
v.)	C.A. NO.: 1:19-cv-00423-JJM-LDA
)	
FEDERAL HOUSING FINANCE AGENCY,)	
FEDERAL HOME LOAN MORTGAGE)	
CORPORATION, WILMINGTON SAVINGS)	
FUND SOCIETY, FSB, D/B/A CHRISTIANA)	
TRUST NOT INDIVIDUALLY BUT AS)	
TRUSTEE FOR PRETIUM MORTGAGE)	
ACQUISITION TRUST,)	
)	
Defendants.)	
)	

DEFENDANT WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST’S EMERGENCY REQUEST FOR A STATUS CONFERENCE

Defendant, Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust Not Individually But As Trustee For Pretium Mortgage Acquisition Trust (“Pretium”), requests that an emergency status conference with Chief Judge McConnell take place on Thursday, February 16, 2023 or Friday, February 17, 2023 in the above-referenced matter. As grounds therefore, Pretium states as follows.

1. As set forth in Plaintiff’s Request for More Time to Effectuate Settlement and For Pretium to Respond to Complaint [D.E. 56] and Pretium’s Joinder in that Request [D.E. 57], the parties have agreed to a purchase price, closing date, and vacate date for the property at issue.

2. The last remaining item that the parties need to agree to is a Seller’s Addendum to the Purchase and Sale Agreement (“Addendum”), which must be finalized before the parties can execute the purchase and sales agreement and the settlement agreement.

3. On February 7, 2023, Pretium provided Plaintiff a draft of the Addendum for Plaintiff to review. On that same date, Attorney Ennis indicated that he would not agree to all of the terms of the Addendum. Undersigned counsel has requested that Attorney Ennis provide proposed revisions to the Addendum for review and approval by Pretium.

4. To date, and despite numerous telephone and email communications with Attorney Ennis, Plaintiff has not provided a revised Addendum, and in the alternative, has not agreed to sign the draft version circulated February 7, 2023.

5. Neither the purchase and sale agreement nor the settlement agreement can be executed by the parties until the Addendum is finalized.

6. The parties have reached an impasse and given this Court's Order dated February 8, 2023, no further extensions will be given to Pretium to respond to Plaintiff's Complaint, which is due on February 21, 2023.

7. Accordingly, Pretium requests an emergency status conference with Chief Judge McConnell to confirm whether this settlement will be going forward or if Pretium should prepare a responsive pleading to Plaintiff's Complaint.

WHEREFORE, Pretium requests that this Court schedule an emergency status conference with Chief Judge McConnell for Thursday, February 16, 2023 or Friday, February 17, 2023.

Respectfully submitted,

WILMINGTON SAVINGS FUND SOCIETY,
FSB, D/B/A CHRISTIANA TRUST NOT
INDIVIDUALLY BUT AS TRUSTEE FOR
PRETIUM MORTGAGE ACQUISITION TRUST

By its attorneys,

/s/ Marisa K. Roman

Shanna M. Boughton, R.I. Bar No. 8283

sboughton@mcglinchey.com

Marisa K. Roman, R.I. Bar No. 9496

mroman@mcglinchey.com

McGlinchey Stafford, PLLC

10 Dorrance Street, Suite 700

Providence, RI 02903

T (857) 453-7151

F (617) 830-0655

Date: February 15, 2023

CERTIFICATE OF SERVICE

I, Marisa K. Roman, hereby certify that on the 15th day of February 2023, a copy of this pleading was filed electronically with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all known counsel of record by operation of the Court's CM/ECF system.

/s/ Marisa K. Roman

Marisa K. Roman